

REMARKS

The Office Action dated July 1, 2003, the reference cited therein, along with the Examiner's comments in the July 17, 2003 telephone conference, have been carefully considered. After amendment, claims 1 and 5 are presently pending. No claims currently stand allowed.

The Office Action rejected claims 1-6 under 35 U.S.C. § 102(b) as anticipated by Owen, U.S. Patent No. 3,196,998. Applicant respectfully takes issue and disagrees as to any teaching, showing or suggestion in Owen '998 of the presently claimed invention. Claims 1 and 5 have been amended to clarify that Applicant is claiming a pressed steel glazing bead. Throughout the Owen '998 patent drawings, specification and even the claims, it references an extruded structure with frictionally interlocking components. Owen's members are designed to snap together in place relying upon frictional and detent actions for assembly. The sash unit 25 illustrated in Fig. 4 is clearly an extruded element, and, although Owen states it may be a rolled or a pressed metal member (Col. 2, lines 25-28), it is still the fixed unit, not the outer releasable sash unit 26 (Fig. 3), and that requires shapes and elements impossible to form by rolling or pressing metal sheet stock. There is no teaching or suggestion as to how it may be possible to press steel fabricate a construction like FIG. 7 where the glazing bead is reference 75. Notwithstanding Owen's statement in Column 2, line 71, the sash unit 26 shown and described with its walls, flanges, hooks and faces does not lend itself to manufacture other than as an aluminum extrusion.

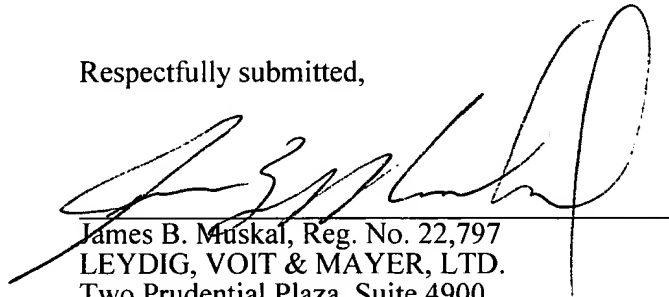
As to Owen's Fig. 7 structure, it too clearly and likewise needs to be an extrusion, and, the element 82 with its flanges and legs does not give the hollow underneath and uninterrupted below the lower surface of the bridge portion. This has now been spelled out clearly in the independent claims 1 and 5 and distinguishes over the Owen patent. The Examiner has indicated that the later inclusion of a fastener to hold the glazing bead would eliminate the "hollow underneath" and "uninterrupted" bridge portion. However, the claim calls for the component of the bead to have such structure so the later inclusion of a fastener cannot change that element. Owen integrally forms the fastener element. That makes it a structural part and precludes formation from pressed steel. Applicant has further added the qualification that uninterrupted is below the lower surface of the bridge portion. Inclusion of an aperture to receive a fastener is in the bridge portion not below its lower surface

In view of the foregoing, it is believed that amended claims 1 and 5 are distinguishable and non-obvious as compared to the Owen structure and constitute a patentable improvement in the art. Alternatively, Applicant requests entry of this amendment for purposes of possible appeal.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James B. Muskal', is written over a horizontal line. To the right of the signature is a long, thin, diagonal stroke.

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Date: July 16, 2003

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CERTIFICATE OF MAILING

I hereby certify that this RESPONSE TO OFFICE ACTION (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Date: July 16, 2003

Nana J. Arthur